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### Oral History Interview: Hercil H. Gartin

Hercil H. Gartin

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ORAL HISTORY

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Date 11-3-1983

Hercil H. Gartin  
(Signature - Interviewee)  
32 South Queens Court  
Address  
Huntington, W.Va 25705

Date 11-3-83

Wallace H. Stowers  
(Signature - Witness)

11-3-83

WVPH.2a, b

WEST VIRGINIA POLICE HISTORY

AN ORAL INTERVIEW WITH: Hercil Gartin

CONDUCTED BY: Wallace Stowers

DATE OF INTERVIEW: ~~November 3,~~ 1983

[Oct 4, 1983]

Wallace: . . . interview with Hercil H. Gartin, Cabell County Clerk in his office in Cabell County Courthouse, Huntington, West Virginia, interviewed on Tuesday, October 4, 1983, by Wallace R. Stowers, the History Department at Marshall University.

Hercil: I was born in Logan County about uh. . . March the 10th, 19 and 10. And lived in Logan County for about 7, 8 years and then we moved to a farm down in Lincoln County. Uh. . . uh, near, Ranger, West Virginia, lived there a couple of years. And of course, then moved to Huntington in 1920. First I attended public schools in this area, the area of Huntington, worked various jobs mostly in the insurance business with several of the leading insurance companies, industrial insurance companies. And uh, July the 5th, 1940 I went on the Huntington Police Department, was there for 23 and half years. Of course, uh. . . you could probably write a book on the things that happened in 23 and half years on the police department, Police Department, at the time I went on the police department, uh, back on July 5th, 1940, the salary was \$125 a month. And uh, your retirement at that times was \$75 a month. Uh. . . it was almost better to be retired than it was to work, if you had enough years in. Of course, nobody wants to retire on disability back in those day; they do that a lot now, though, for many reasons. But back in those days nobody ever retired on disability. Unless they were disabled in the line of duty. Most of them reached their retirement age and retired. But uh, back in the old days, up in Lincoln County and Logan County, those where the days when illegal whiskey was made, back in the hill country. And a lot of people made their living by making moonshine whiskey, and selling it. It wasn't unusual in any road up some hollow in Lincoln or Logan County, up in the hills to find a moonshine still. People out hunting in the fall would run onto a low of those. They'd bury their, what they called their mash barrels, down in the ground and but a 55 gallon wooden barrel down in the ground and uh, the top of it was level with the top of the ground and they'd use the ingredients to make that moonshine whiskey, and when they left it, they would just cover it over with brush. And of course, anybody. . . anybody hunting in the hills or walking should walk near back and smell it (laughing), a lot of times that was a dead giveaway that there was a still in the vicinity. Of course after the, after this fermented so long, this corn and other ingredients in it, after it had fermented so long in this barrel, then they would run it through a distilling uh, mechanism they had there, made out of copper with heat you know, to purify it up to a point. but of course it never became very pure. But uh, then after it goes through this distilling mechanism, uh, it's ready to, ready to sell. And of course, some of 'em would put. . . whiskey was distilled by the distilling companies like in Kentucky and other places, would their whiskey would have color to it. Any time you got this white whiskey they knew it was moonshine, so a lot of

times they would put coloring in it, so it would look like the whiskey you might buy from the store. And many times they'd put things in there, they put solutions in there to color the whiskey that was detrimental to the health of the person that consumed it. And people, there were people that had died from some of the things they had put in that moonshine whiskey to change the color, to make it look like. . . back in those days they called it store-bought whiskey. (laughs) So I had a couple of uncles that worked for the Alcohol, Tobacco Tax Unit, in other words, they were called back in those days Prohibition Agents, because it was illegal in this state to sell that whiskey. And whiskey was run in here from Kentucky. Had regular whiskey runner, in my day in the police department, that would run that whiskey back into, illegal whiskey, into West Virginia. Of course, it's illegal now to sell more than a certain amount of whiskey that you bring in to the state of West Virginia. 'Course they have state stores now that sell whiskey. But uh, I had a couple of uncles that were prohibition agents and whose duty it was to track down these stills and the people who made whiskey illegally, and arrest them. I recall one incident where one of 'em uh, went out alone and they usually worked together, but he got a complaint they were making whiskey in a certain place, so he went out alone, and he arrested the man who was making the whiskey and put him in his car, he put him in the back seat of his car, and he was driving down the road with him to take him to Hamlin, West Virginia to put him in jail., he was driving down the road and the man reached over the back seat and uh, put his arms around his neck and started choking him, finally disabled him to the point where he finally got the car stopped and disabled him to the point where the man jumped out of the car and ran. (laughs) Back in those days they didn't have any modern cruiser cars that had a screen between the back seat and the front seat and apparently didn't both to handcuff 'em back in those days. If they had handcuffs, I'm not sure if they had 'em. But uh, they had. . . they had a long career, both of 'em, in that type of business, and was very successful, and well-known by all the bootleggers in Lincoln and Logan Counties. But those are things that happened in the early days before modernization in law enforcement and in other areas. But after I went on the police department we uh, I had on two occasions I found stills here in, operating here in Huntington, back in the '40's, 1940's. I found one out in Harveytown, which is 14th street West runs out in to Harveytown. I found one that a man had in a chicken house. You seldom ever look for a still in a chicken house. And that's where he had it set up. Of course, we raided that one, and picked up his still and uh, all the liquor that he had bottled up, confiscated it. And then I found another one on ninth avenue or in the alley between ninth and tenth avenue, above 17th street in Huntington. This man had his in a, upstairs over a garage, kind of a garage apartment type thing. And he had it set up over this garage. He had a real good setup too. He had uh, he had his copper still and everything was in perfect order. And he was making, he wasn't uh,

he was only making the whiskey that he would sell; he wasn't, he didn't stock any. When he got ready to sell to somebody, he'd run off a batch and supply his customer. So we found that one, and we confiscated it. So even back up in the '40's they did have some of them going on here in Huntington. Of course, no doubt they had some that we didn't find. But we found a couple of 'em. But we had many things happen here. We had, back in those days we didn't have too many unsolved murders, but we do have a lot of 'em now. I recall one at 14th Street West between Madison and Monroe Avenue, uh, Duncan Bow & Lumber Company had a big lumber yard where the mall is down there now. And that was stacked with stacks of lumber, separated from each other and uh, they had a couple of beer gardens on 14th street. There was a deaf and dumb girl that frequented these beer gardens and one morning I got a call that she, that they had found her murdered out of this lumber yard, so we proceeded to go down and make an investigation and found that she was, that she apparently had been unsolved murdered, brutally murdered but that was one of the first major unsolved murdered that we ran into during my time in the police department.

Wallace: (question inaudible)

Hercil: Uh, that was back in the early '40's. Back in the early 1940's. I don't remember exactly what year it was. But that one remains in the files as an unsolved murder to this day. We had a real good suspect on it that we were working on. We had had him in and had uh, talking with him. Uh. . . and uh, he was really the best prospect we had out of all the leads. We ran hundreds of leads down and this was the best one, the man we actually thought who did it, but we were trying to get enough evidence that we would arrest him, and charge him. Uh. . . during that, about that time, after we had talked with him a couple of times, he was coming up the boulevard at 14th street West, apparently at a high rate of speed and ran off the road and ran into a tree and killed himself. So uh, that ended out best suspect, and we were never able to come up with another one that. . . that we thought we'd have a chance of charging him with it. Although this girl frequenting the beer places ran into a lot of people at a lot of different times, drinking and of course, that's the reason we ran so many leads down because she was connected with so many different people.

Wallace: On a regular investigation case, did you work around the clock until it was solved or. . .

Hercil: Well, usually we would, we would work all day long and up into the night on cases, cases just like that. We would uh, we'd have two or three teams or pairs of detectives working on it, while some got a little rest, others wouldn't be working on it. But ordinarily we might be working all day long and up to late at night, 10 or 12 o'clock at night but uh, we sometimes would get some rest while another team would take over, you know.

Of course, we would, the different teams of detectives were running down different leads, too, you know. So these cases. . . I remember also, up near Oley school, at. . . on 14th Street between 5th and 6th Avenue, there by the school uh. . . actually it was, the house was on the uh, on the southwest corner of the alley, the big frame house and I remember I was chief detective at the time, and I got. . . headquarters called me about 3 o'clock in the morning and said that uh, to tell me that uh, they'd found three people dead in this house so I got out, and the house on fire. So I got. . . I got up quickly and dressed and went down and called some of my other men out in the detective bureau. And we uh, when I got there, I found that uh, there was a man and his wife and son, and daughter lived there. And the son was real brilliant uh, he made excellent grades. In fact, they said, the school authorities said that he bordered on being a genius. And I've often heard that there's only a thin thread between being a genius and being a madman, you know. Because you're up there where you can tip either way. Uh. . . this boy that killed his father, killed his mother, killed his sister, killed the dog and set the house on fire, He'd taken a hatchet, apparently, and killed them while they were asleep. So you can figure what kind of a bloody mess we found when we got there. He went downstairs in a closet and built a fire, set the house on fire. And he took off. Of course, the fire, luckily somebody spotted it, and called the fire department and they put it out. And when we got there, of course there was smoke in the house and everything was topsy-turvey and the body was gone. So we put out men out lookin' for him, we figured he'd probably still be in the neighborhood. They looked every place, under houses, behind houses, in garages, every place, and I was in a car uh, and was also searching the neighborhood when I got a call that uh, the officers who were in the vicinity of the house itself, uh, said they head a shot and under a house they found the boy, and he'd killed himself. So that cleared up that tragedy. But it was four people, a dog, and the house set on fire. It wiped out the entire family. But these things you don't understand and you never, never understand why they happen but believe me it happens all the time somewhere. And that's one that happened where we had to work the case out.

Wallace: Do you ever get use to them kind of things or just kind of. . . ?

Hercil: Oh, you get use to it, you get use to it, yeah, after a while. It was not my nature to uh, to be used to things like that, but I got used to 'em, because of the type of work that I was in. (phone ringing in background) Uh, about the worse thing that I can think of is a lot of times I used to work with the doctors who would do autopsies on bodies and drowning victims are the worst. Because they stay in the water and they usually come up in about a week or ten days, you know. And the food that's in the stomach ferments and I've seen the doctors, they'll be blown up like a balloon, and I've seen the doctors stick a knife in 'em and open 'em up and

gas comes out. I use to smoke a cigar all the time because that's about the only way I could stay in there and watch the doctor. He'd take the vital organs out, Dr. Werthammer was pathologist here for I expect 20 or 25 years. And he spoke broken English. If you'd watch him, he'd open up a body and take the heart out and examine it and show you what was wrong with it, you know, where it was damaged by a heart attack, or take the liver out and show you where they had cirrhosis of the liver, you know, and all that sort of thing. And this, it's interesting, it's very interesting, but at the same time, you can't have a queasy stomach and uh, had to watch it you know, let him explain it all to you.

Wallace: Was he a local or uh. . .?

Hercil: Oh, yes. He was the local pathologist, Dr. Werthammer, I believe he's passed away now. But uh, for many years, he was head of the pathology department at Cabell-Huntington Hospital. But uh, he was a very brilliant man, a man who knew his business, and could explain it to you, if you could understand him, you know; he spoke broken English, I don't know what nationality he was, but he was, he was a very brilliant man. So, out time on the police department, of course, we've quite a few things come and go. But uh, uh, I spent five years on the police department as a uh, as a motorcycle officer. Of course then I was, I took the civil service examination and was uh, promoted to detective sergeant and of course I was in there uh, for a couple, three years, then I took promotion and was promoted to chief of detectives. And that's one reason I've seen a lot of these things come and go. And of course, back in 1949 I was appointed chief police by the mayor at that time, Walter Payne. Walter Payne was because of, he liked publicity so much they named him the little flower. The little flower was the name given to the mayor of New York, who was very popular at one time, and who loved publicity. And Walter Payne liked publicity. They named him the little flower, and I was chief of police under his administration. Also, during the time, being under civil service, I was chief of police, appointed chief of police, but I still held my civil service rank. And during that time I took an examination for captain the police department, and I was promoted to captain and after serving a short time as chief of police, while I'd only served about a year and a half, I think, I resigned to accept my new rank of captain, because to keep it I had to serve in that capacity see, so then after a few more years I took an examination for assistant chief of police under civil service, with the rank of major. I was promoted to that rank and I was, I had the rank of major when I retired from the police department. Of course, shortly after I retired, they abolished the rank of major and they've never had one since then in the police department. Uh, in fact, they've never had an assistant chief of police since then. But uh, while I was uh, during my time in the police department I was, I was, I attended the FBI National Academy in Washington, D.C., and graduated from the academy. Uh. . .and later,

a few years later, I was, I was one of the two people uh, who were not qualified other than law enforcement, become an agent of the Federal Bureau of Investigation uh, I was one of the two people in West Virginia that had an invitation to do so, but at that time, I declined because of the fact that I would have to leave Huntington because when back during those days, if you were, if you're taken into the Federal Bureau of Investigation as an agent, you could not serve in the community where you lived. For a number of years you would have to be moved into another community, or another part of the country, and then after serving a number of years, there's a possibility you could be transferred back to your home, home base, you know, but you couldn't be when you first went in. So, consequently, I was not interested in do so, so I declined the invitation to do so. Back in those days most of the people in the Federal Bureau of Investigation as agents were either scientists, lawyers or specialists of some kind that was needed by the bureau. But uh, anyone who was, anyone who was, they seldom ever took anyone in who was just a law enforcement officer, who's background was that of a law enforcement officer, other than those that I named. Now, if they had law enforcement experience, that would be fine. But some, they needed specialists or different kinds, don't you see. Scientists and lawyers of course were mostly what they took in, but uh, they did have room for specialists in other fields which they used, took in when they needed them. So I stayed, I stayed with the police department until 1963. In 1963 I retired and uh, then of course, I ran for sheriff in 1964 and was sheriff of Cabell County, and was elected and served four years in that capacity. Of course, uh, after the four years were up, you could not succeed yourself in the sheriff's department as you can now. If they're able to do so, they can serve two terms now. But not being able to succeed myself, uh, I went into the real estate business, was in the real estate business until I ran for county clerk in 1974, and I was elected and have served in that capacity since 1975. I'm still here. (laughs)

Wallace: You want to take a breather? (yeah)

Hercil: Going back over some of the things I've mentioned in the police department, in regard to promotions and so forth, uh, it's customary that if there are more than one type of job with the same rank, the more desirable job of course, goes to the person who makes the highest grade on the civil service, written civil service examination. For instance, like taking the examination for uh, chief detectives, it carried the rank of lieutenant, when I took the examination they needed two, they needed a chief of detectives and they needed two line lieutenants, so uh, the chief detective was the more favorable position, and the one making the highest grade of course, go that. And of course, I made the highest grades so I was appointed, I was promoted to that position. Uh, when I took the examination for detective sergeant, there was 10 of us at that time, because that rank was being established and I think maybe I may have

been 2nd on that one, I'm not sure exactly. . .

END OF SIDE 1

Hercil: . . . now when we made, when they made the rank of captain in the police department, several of us took the examination, but uh, there were uh, at that time, I made the highest grade. There was only one position to be filled, and I made the highest grade, so I filled that position. Later they gave me an examination again when they needed more captains and two more captains were made, but uh, at, at the time they created the position of assistant chief of police with the rank of captain. I took that examination; of course I made the highest grade on it, and I was promoted to major. Now, it carried the rank of major, and uh, I served in that capacity for several years until I retired. One of the reasons why the changes were made is, that the administrations were elected every two years, and of course, one administration would say we need an assistant chief of police under civil service. So that position was set up by city council, the examination was given by the civil service commission, we took the examination and I got the highest grade so I was, I filled that position. But then several years later we had different administrations as time went on, and I served a number of years in that capacity. When I left we had a different administration who decided they did not need an assistant chief of police so they abolished the position. So I was the first one who ever held the position of major in the Huntington Police Department. And from that day to this, they still do not have that position. I've had a number of people from the city administration talk with me about it, to get my ideas on what I thought about it since then. And they had some ideas they might establish that again, but they never have. So uh, perhaps some day they will. I personally think that an assistant chief of police is really a must in a good sized police department 'cause if the chief of police is away, or he's sick, or something happens, or he would fill in being interim chief between the times that one leaves and another one comes in, he holds the department in tack. He has a voice of authority. But the thing about it is, uh, the way they operate now in the Huntington Police Department they use captains and of course, they have several captains. And what happens when the administration picks a certain captain to fill in, then the other captains don't like that. So consequently, you're promoting someone who's an assistant to the chief of police, when the chief's not there, he's in charge. You have one man who has the authority and they all look to him. But if you have several men with the same rank, the same authority and you make one of 'em a chief of police, you're bound to have nothing but trouble out of it. So, that's the composition of the police department at this time. They have no assistant chief of police.

Wallace: How is or was the department set up structurally?

Hercil: Well, the structure of the police department at the time I was assistant chief of police, was a chief of police, an assistant chief of police, captains, and they had a captain in charge of the detectives bureau and captains in charge of each shift. They you have lieutenants working under the captains, then you had sergeants working under the lieutenants. So uh, so you had a good structure there in the police department. You had a good chain of command to operate through, don't you see? But uh, but no, as I say, the fallacy of the system is that you've got several men of the same rank so you pick one of 'em 'cause you like him better, to be chief of police in the absence of the chief, or for whatever reason you pick him it doesn't set well with the other officers who have the same rank. And the same authority. So I think it's a fallacy in the system. Of course, the police department, that's their business and of course, I have right to my opinion, and I guess they have a right to theirs, so , that's what makes the world go 'round.

Wallace: Certainly. As far as the jurisdiction of, between police forces, does the stated police have authority to anywhere within the state to take over, or. . .?

Hercil: Uh, the state police have authority anywhere in the state to enforce state laws. Now, they can't enforce city ordinances. Your city police can enforce city ordinances in whatever state laws that they see violated. (break in tape) You know, in regard to the sheriff, the sheriff in the state of West Virginia the 55 counties in West Virginia, the sheriff of course operates, they operate the same because the same state laws governs the sheriff's department, but the sheriff in this state, West Virginia, they handle law enforcement, they have the jails under their jurisdiction uh, they also are the tax collector; they collect all the tax, real estate and personal property taxes for which they get a commission for collection. In some states and in Kentucky, for instance, even, I think the jailers, jailers are elected, maybe in Ohio they may be, I don't remember now. But the laws are different from Kentucky to West Virginia. Uh, in some states, perhaps in most states, Ohio and Kentucky and the Tri-State area, they have their tax collectors but in West Virginia the sheriff does all these things. And I'm not sure that it's a good idea, but that's part of the makeup of the sheriff's salary is a certain percentage of his salary comes from the collection of taxes, then a certain percentage of it for law enforcement. So uh, different states have different laws that govern the makeup of the sheriff's department. When I was the sheriff of Cabell County, I served through 1965 through '68, uh, I had uh, 13, I had 13 field deputies, which included a chief field deputy who handled all the outside operations. I had about 8 people in the jail who ran the jail at that time. Now at this time, altogether the sheriff had 70 some employees and I think he had 45 people in the county jail, which is 30 some people more than I had in 1965 through '68. So I hope they're doing, I hope they're doing a good job and that

much better job than we were able to do with the few people that we had at our disposal in '65 through '68. Of course, they have uh, this of course is a little out of my ballwick, back then we had 5 or 6 cars, or 7 maybe, and I think today they probably have 17 or 18 automobiles at their disposal. So there's been a big difference in law enforcement from the days that I was in the sheriff department until now.

(break in tape)

Hercil: I remember an incident back during the days when I was in the police department. Quite often we were arresting people on various charges. I recall at 10th Street and 6th Avenue I attempted to arrest a man who uh, had committed a crime and he saw me, and of course, I was in uniform and he started to run down 6th Avenue. At that time, you had residences on 6th Avenue and people had little fences around their yards, and this boy jumped the fence and of course, I jumped the fence after him, and uh, he was a little better jumping fences than I was. I don't know, there must have been a half a dozen houses that had low fences around them, the front yard. And finally I thought, well, I'll just fire

Hercil: . . . up in the air and perhaps I can get him stopped, and so I pulled my gun out and fired up in the air, and he ran faster. So, I lost him. He ran too fast, he got away. And at that time, I thought, well, I'd been better off if I'd left the gun. . . the holster (inaudible). . . because I may have been able to catch him. (laughs) But uh, there are many instances where you would uh, where we, where I had done that in the past and people would stop because the mere sound of the gun going off had a decided effect on people because immediately they stop in their tracks you know, particularly when they're told to do so by a law enforcement officer. But you never know how things will affect people, like a gun going off, some will stop and some will run faster. Of course, if they get a house between you and them, you know, they've got a chance to get away and that's what happens sometimes.

END OF SIDE 2 - INTERVIEW 1

Hercil: . . . he could ask the board to hold all those that there're being drafted, explain to him that lost seven out of the department that was undermanned anyway, because of finances, you know, which is always the case. So he called me and wanted me to go to the draft board, and ask for a deferral. I told him I wouldn't do that, I said I won't do that, because I feel like if my country needs me, I should go. Uh, now I said if you interfere with it, if you decide that you'll ask the draft board for it, and they grant it, then I'll honor it, but I won't go and ask for it myself. But he said, well, I'll sure to do it, so he did. He went, the Mayor went to the draft board. And asked them to defer and the others, because of the fact that our department was being depleted by those that had already enlisted. And, and

maybe a draftee or two, I don't recall now, but anyway, he did that, and of course, I was not drafted. And I served, I served in the police department here during the war.

Wallace: Alright. During the war, were things, situations in Huntington, were they kind of chance or were. . . ?

Hercil: Well, we had a lot of, we had a lot of that because we had a lot of service men who were coming back, you know, on leave and things of that kind. And of course, they were wild, you know. They'd come back home and let their hair down. 'Cause we had a lot of that, you know. Plus the fact you had a lot of people, a lot of people had been called into service and a lot of homes were without a man in the house, don't you see? and families were to be protected by the police department. So, we had our hands full. Yeah, there's no question about it. And of course, you had, they had to hold those jobs open for the boys that were in service to come back to, so they couldn't be replaced.

Wallace: So you were forced to operate on minimum manpower?

Hercil: That's right. that's exactly right.

Wallace: There'd be a whole lot of arrests then. Did you work a 7-day week?

Hercil: We worked extra time and we'd work overtime on special events, and things like that. Uh, a lot of times we'd have to do extra work because of the fact that we're understaffed, see. But uh, we worked that way until the war was over. But uh, that was my reason for not having any military service.

Wallace: You mentioned before you joined the force that you'd worked various jobs. What was your first? Here in Huntington?

Hercil: Oh, yeah, yeah, I worked for a lumber company here and then I worked for uh, I worked for some insurance companies. Of course, I was working an insurance company when I, when I went on the police department. I like police work; that's one of the reasons that I did pursue that occupation.

Wallace: That was the reason, you liked police work?

Hercil: Well, it's just that if it intrigued me, you know. Police work intrigued me because uh, well, just like you might be intrigued by what goes on in police work. Today what they see on t.v. makes a lot of 'em think, well, I'd like to a police officer. And then perhaps knowing some people that were police officers, which I did know, as I grew up, and uh, those were, those were reasons that I decided that I wanted to be a police officer.

Wallace: Do you think any of your family background had anything to do with it?

Hercil: Well, it could have, it could have. You know. . . some of 'em in uh, with the Tobacco, Alcohol, Tax Unit and so on, may have uh, some of the stories I'd heard about law enforcement and so forth . . . it could have. And back in those days, you know, you're talking about, back in the '30's you know, you were talking about, you had a lot of bad characters in this country. And the FBI, many stories, newspaper stories, about the FBI, pursuit of these gangsters and one thing and then the other. Al Capone and all, you've heard of all those. Those were things that took place way back there, you know. That was a big thing. That was big reading for the general public back in those days.

Wallace: One thing I've always wondered. . .

Hercil: The Jessie James gang robbed a bank in Guyandotte at one time. You know? I mean. . . there's a lot of things that make the young folk think he'd like to be a police officer.

Wallace: Yeah, it would. Uh, you mentioned in the '30's where Al Capone and all those, the crime syndicate and waves of violence. . . from your point of view, would you think the public was sometimes forced to think, choose good sides, bad sides, or something? I don't know how to express it. Could it change public outlook on crime and police work? There's such great newspaper coverage of Al Capone and uh. . .

Hercil: Yeah, but you know, you know the. . . back in those days most of the credit went to the Federal Bureau of Investigation, you understand. They could cross state lines from city to another and all that. Uh. . . they were continually in the news. But they were also, they also worked with police departments like Chicago Police Department in the Dillenger capture, capture of Dillenger, you know, the woman who ran, his girlfriend and all that, you know. Uh, but those were stories that captured the imagination of the public, you understand.

Wallace: They probably [inaudible]...

Hercil: Well, they, they nurtured the fact that well, those things that took place, plus the FBI and the police departments and their activity and of course, you're talking about the police department here, we were out of the, we were out of the mainstream of things like that. You know, not to many people came to a town like this. But still, we had our own problems. We had the police department here to protect the citizens of Huntington from the ravages of whatever crimes would prevail in...ever since Adam and Eve walked in the Garden of Eden, you know.

Wallace: Part of being human. (that's right)

[tape being shut off/on]

Hercil: Uh...I think, I think uh, let's say that I don't believe that the motivations are entirely in one direction all the time when you're talking about this. I think that the fact that people have to have a job, have to have an income, they have to have, they choose their profession, of course, but the main thing is making a living, you know. It all comes back to that. That you have to have a payday, you know, to live, to feed and clothe your family, and have a roof over their heads, and all that sort of thing. That's your number one motivation, I think, but your number two motivation, in my opinion, is how do I make that living? What do I do to make that living? Do I want to be a police officer, do I want to be a fireman, do I want to be a lawyer, do I want to be a doctor, do I want to be an aviator...uh, you know. I go in the service, I can spend...maybe I go in the service, I decide if I'll make a career of it, because I don't have to worry about where I'm gonna live, or that I'm gonna have something to eat. I'm gonna get a pretty good pension when I get out. See...people a lot of times, people look all the way from childhood to the day they die. How am I gonna get along? You know. They look...they're looking for a profession that they like. A golfer, he loves to play golf, and he can make money in it. Football, baseball, basketball, whatever, hockey, they're looking for guys at the top all the time. There's a possibility that I could be at the top, you know. Do I have the qualifications to get there? I can make a lot of money if I can get there. So I'm gonna work at it...you know. Look at all the people that fall out on the way out, you know.

Wallace: [inaudible]

Hercil: Your goal has a lot to do with it. The goal has a lot to do with it. But uh, the fact that you have to make a living has a lot to do with it, too.

Wallace: It's kind of fuse together there.

Hercil: Sure. You can't...

END OF SIDE 1 - TAPE 2

Wallace: Do you think the goal has to be, appear to be attainable or does it matter if it's attainable or not, just as long as you have a goal?

Hercil: Who knows whether it's attainable or not. A young fellow goes out here in a gym and he starts training and he trains for the Golden Gloves, uh, he goes in the Golden Gloves and if he's got a lot of talent, he works his way up, he becomes a champion, uh, look at all of 'em that start that don't become champions. Then he decides to play professionally and he gets out here and he starts fighting professionally and they match him against people just like [inaudible]...in the same

category he's in, and the same talent maybe and the same experience and the same record and he works his way along and he beats those and he works up and after awhile he could become a champion. But when he's back here and started training, he's in the Golden Gloves, he has visions of being a champion some time, you understand? (right) But look at all the thousands that fall out on the way up. But every once in awhile somebody gets up there. You know.

Wallace: Keep your optimism up and keep hoping.

Hercil: Well, you just keep hoping, sure. Sure...when you start out, you hope that some day if you might, you don't know what talent you have to begin with, until you match yours against the other fellow, you know. And if you're superior to him, first thing you know, you're working your way up the ladder. But when you start out, you're hoping to be able to do that, when you start. But if you go along and defeat after defeat after defeat, and you think, "well, I don't have it." So I've got to pursue something else. I mean, I think that, I think that, I think we all do that as we go along. We all hope to get to the top. You know...whatever that is. Uh, I can't be president of the United States, I'm not gonna be head of the FBI, I'm not gonna be superintendent of the State Police. Uh...I'm not gonna be senator or congressman, you know. But when I started out, I wanted to get as far up the ladder as I could. My education, I knew that I could never attain some of those things. Maybe my ability, my talents wouldn't permit it, or something. It could be a number of, a number of things. But I wanted to get as far up the ladder as I could, so I keep pushing, and pushing.

Wallace: You're no pessimist at all, are you?

Hercil: No, I'm an optimist. I think, I think that in every man there is a lot of ability, if he finds out what it is, goes in the right direction.

Wallace: So, would you say, uh, you're, you're law enforcement, you've never seemed to gain any \_\_\_\_\_  
\_ or any....

Hercil: Well, I always, no, no, no. I always felt like that I was preparing myself for something a little better. You know....

Wallace: Your optimism is always in operation?

Hercil: Sure. Never, I've never been a quitter. Never quit anything. Haven't yet. What time I'll quit's when I die. (I talked with a...) If I wanted, I've got three more years in this office. If I want to run again, I think I can be elected. I don't know whether I'll be able to serve or not. You know? But I think I could be elected. I don't know whether I'll be able to serve or not. You know? But I think I could be elected. If I go into an election, if I go into a campaign thinking I

couldn't be, I'd be silly to pursue it, you know? But I think I could be. That's why I've always done it. I've been defeated, but I didn't think that I could be defeated. When I was defeated, I said, "Well, I'll try it again," you know. I could quit it, say I'm through! Washed up! But I didn't think so. I ran for sheriff. I was elected sheriff for four years. You couldn't succeed yourself. I stayed out four years. I ran for sheriff again, and I got beat by 300 votes out of 7,000. I got 7,000, he got 7,300. I lost by 300 votes. Well, naturally I'm disappointed, but I'm not discouraged. You know. So I come back, the next thing that comes back is this, I come back and I run for this, and I'm elected. And then I ran for it again and was elected. You know, I think I could run for it again and be elected. But it's the attitude.

Wallace: I may learn something here today. (unh?) I may learn something here today. Would you say you like uh, oh, how to express this, do you like the campaigning itself or...?

Hercil: I like to campaign, yeah. I like to meet people, I like to talk to people and uh, it good public relations, you get to know a lot of people. The main thing is don't lie to people. Do what you tell 'em you'll do. And if it's impossible to do, still try to do it. And you don't do it because you can't do it. That's the only way you fail. Don't tell somebody something, don't go out here and like me, don't go out here and promise uh, one job to 50 different people to get their votes. You know? You only have one job, if you promise at all, only promise it to one person. (I see)

[recorder being turned off/on]

Wallace: When you retired from the police department, immediately following your retirement, did you feel as if there was some kind of void in your life? I mean, was it...

Hercil: Well, what I did, what I did, uh, I spent about a year, after I retired I spent about a year doing nothing and fishing and hunting and so forth, the things I like to do. Uh, working around the house, doing a little traveling, so forth. I didn't care too much for it. So, I got a job with the highway department uh, security job or looking after buildings and grounds for the highway department, West Virginia Highway Department. I worked that about a year and then I decided that I would run for sheriff. I left that job to run for sheriff, quit there, another police officer got the same job that I left, with the Highway Department. I run for sheriff and was elected. And uh, after I, after I was elected sheriff, I served four years there, then I went to uh, I joined, another fellow and I went together and opened up a real estate company, and we worked at that until I got involved with a cable t.v. company and he and I dissolved our partnership and I, I ran a cable t.v. company in Barboursville. In fact, it was Huntington.

I was part of this operation in Huntington, and we bought another operation and added to it, which includes Barboursville, Ohio River Road and Guyan Estates, and so on, and I ran that until I decided to run for county clerk. At which time, I ran for county clerk and was elected. And I've been here ever since.

Wallace: You mentioned you had a partner in real estate. Was he a uh, retired police officer, too?

Hercil: He was a magistrate, so he was not a police officer. He wa a magistrate. And uh, his term ran out and he decided not to run again. And he and I went in the real estate business together.

Wallace: But it was not exactly your cup of tea, as far as a career?

Hercil: Well, not exactly. It...it just uh, you didn't have the challenge there and a business, the real estate business wasn't very good. And loans were hard to get, so on and so forth. So, I decided that I, that was not what I wanted to pursue. Then I became in the meantime, I became involved in this cable company, and it was more interesting and more of a challenge to me than that was.

Wallace: That was what I wanted to ask you, challenge, we say a challenge, a necessary part of....

Hercil: I think it has a great deal to do with it. Uh, for instance, after, after working at the cable company for a year or so, uh, it became a hum-drum thing. You do the same things all the time, and collect fees from people and hookups for more people and so on and so forth. And then of course, I decided that there's a challenge in running for public office that I like, you know. When I ran for sheriff for the first time, there was seven, seven of us ran on the democratic ticket, and I was nominated. So, and when I ran for sheriff for the second time, there was six of us on the ticket. And I got beat by 300 votes. But there was a very popular boy beat me in the primary, he was a catholic. I always got my share of the catholic votes. I got a good share of the catholic votes, but he being a catholic, was able to clean up the catholic votes, you see. And that, we bucked for the protestant votes out here and then he gets all the catholic votes, you see, so that gave him a little edge. It wasn't much, but it was enough. Uh...so, that was still a challenge to me, you know. To try, you know.

Wallace: In my own, I [inaudible]...out of high school, the challenge, there's something about the challenge, would you say there's...?

Hercil: Oh, yeah, there is, that's right. There is, the challenge is probably has a lot more to do with people doing things than they realize. You know...for me to say to you that is a challenge, you should, you should try

it, you know? If I don't say that to you, and decided I want to do that, that challenge was there, but somebody's not pointing it out to you, and telling you it's a challenge. The challenge is there and you accept it, you know. Not because I tell you there's a challenge there, but because of something within you that want to meet the challenge. You think I'd be a good instructor?

Wallace: I believe you would. [laughing] You have kind of a charismatic way of being a teacher.

Hercil: Well, I've taught law enforcement, so...

Wallace: Oh, in uh...

Hercil: Schools.

Wallace: Did you enjoy that?

Hercil: Oh, yeah, oh, yes, yes, yes. I taught at the uh, state police academy at St. Albans, you know, a few times.

Wallace: How would you describe the best reward from teaching, would it be satisfaction, challenge or what?

Hercil: Well, it's the satisfaction of knowing that you're helping, helping young fellows that were coming up the same way you did. See, during my years in police work I was a, education became more of a requirement, you understand. Police schools particularly, and uh, that of course, increases as time goes on. A lot of police department you'll find lots of college graduates. And you'll find a lot of young fellows who became college graduates while they're on the police department. Huntington Police Department has quite a few of 'em. Bailey, who's sheriff down here, worked for me when I was the sheriff. I put him on a shift so he could go to Marshall. In four years he graduated. That's where, that's how he got his degree. He was a coach at Huntington East High School when he was elected sheriff. So, I've helped a lot of young, I've helped a lot of people, too. They come up the same way I did.

END OF INTERVIEW